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SEP 27 2004

Jung-hua Kuo
P.O. Box 3275
Los Altos, CA 94024
Telephone: (650) 988-8070
Facsimile: (650) 988-8090
Email: jkuo@kuolaw.com

Date: September 27, 2004

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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) 872-9306 on September 27, 2004.

Signed: 

Name: Jung-hua Kuo

Receiver: Examiner Ensey, Brian
Art Unit: 2643
Company: United States Patent and Trademark Office
RE: Application No: 10/043,613
In re: Skulley
Filed: January 9, 2002
Entitled: Comfortable Earphone Cushions
Atty. Dkt. No. 01-7035(PLANP040)
Fax no.: (703) 872-9306
Pages: 14 (including this cover sheet)
Sender: Jung-hua Kuo

MESSAGE:

Attached are:

- (1) Credit Card Payment Form (1 page);
- (2) Transmittal (1 page);
- (3) Amendment (8 pages) in response to the outstanding Office Action for the above-referenced patent application;
- (4) Executed Declaration Under 37 CR 1.131 (1 page); and
- (5) Exhibits A and B in support of Declaration (2 pages).

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:
Skulley et al.

Application No: 10/043,613

Filed: January 9, 2002

Title: Comfortable Earphone Cushions

Attorney Docket No. 01-7035

Examiner: Ensey, Brian

Art Unit: 2643

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

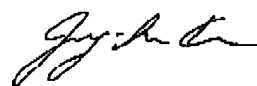
Sir:

Transmitted herewith is an amendment in the above-identified application.
The fee has been calculated as shown below.

| | Claims Remaining After Amendment | Highest Previously Paid For | Present Extra | Rate | FEE |
|---|-------------------------------------|--------------------------------|------------------|---------|----------|
| Total Claims | 26 | 26 | 0 | \$18.00 | \$ 0.00 |
| Independent Claims | 4 | 3 | 1 | \$86.00 | \$ 86.00 |
| Multiple Dependent Claims and Fee Not Previously Paid (\$280/\$140 if applicable) | | | | | \$0.00 |
| Total Fees | | | | | \$ 86.00 |

- ☒ Applicants hereby petition for a one month(s) extension of time to respond to the outstanding Office Action.
- ☒ Enclosed is a credit card payment form for \$196.00 (\$110.00 for extension of time and \$86 in excess claim fee).
- ☒ Applicants believe that no (additional) Extension of Time is required; however, if it is determined that such an extension is required, Applicants hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 50-1217 (Order No. PLANP040).
- ☒ If the required fees are missing or any additional fees are required during the pendency of the subject application, please charge such fees or credit any overpayment to Deposit Account No. 50-1217 (Order No. PLANP040).

Respectfully submitted,

Jung-hua Kuo, Reg. No. 41,918
Jung-hua Kuo
Reg. No. 41,918
P.O. Box 3275
Los Altos, CA 94024
Telephone: (650) 988-8070
Facsimile: (650) 988-8090